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8 UNITED STATES DISTRICT COURT
9 FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 BASEL ACTION NETWORK, a Washington
non-profit corporation,

11 Plaintiff,

12 v.

13 INTERNATIONAL ASSOCIATION OF
14 ELECTRONICS RECYCLERS, a New York
non-profit corporation, and INSTITUTE OF
15 SCRAP RECYCLING INDUSTRIES, INC., a
Delaware non-profit corporation.

16 Defendants.
17

Case No.:

COMPLAINT

18 Basel Action Network, for its complaint, alleges as follows:

19 **I. PARTIES**

20 1. Plaintiff Basel Action Network ("BAN") is a Washington nonprofit corporation with
21 its principal place of business in Seattle, Washington.

22 2. Defendant International Association of Electronics Recyclers, Inc. ("IAER") is a New
23 York nonprofit corporation with its principal place of business in Albany, New York.

24 3. Defendant Institute of Scrap Recycling Industries, Inc. ("ISRI") is a Delaware
25 nonprofit corporation with its principal place of business in Washington D.C.
26
27

II. JURISDICTION AND VENUE

4. This is an action for a declaratory judgment of non-infringement and for cancellation of a trademark. The Court has subject matter jurisdiction under 15 U.S.C. §§ 1064, 1119, and 1121 and 28 U.S.C. §§ 1331 and 1338.

5. The Court has personal jurisdiction over ISRI and IAER because they conduct business in this state, have members in this state, and use or have used the phrase CERTIFIED ELECTRONICS RECYCLER in this state.

6. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and (c) because a substantial part of the events giving rise to BAN's claims occurred in this district, the injury BAN and its E-STEWARDS certification program sustain occurs in this district, and ISRI and IAER are residents of this district under § 1391(c).

III. FACTS

A. The Basel Action Network

7. BAN is a 501(c)(3) non-profit organization dedicated to, among other things, preventing the export of highly toxic electronic waste from the United States and other developed countries to developing countries that do not have the ability to safely recycle or dispose of the toxic waste without harming human health and the environment.

8. BAN takes its name from the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (the "Basel Convention"). The Basel Convention is an environmental treaty that has been ratified by over 170 countries. Of the countries that signed the Basel Convention in 1989, indicating intent to ratify it, only the United States, Haiti, and Afghanistan have failed to ratify it.

9. An amendment to the Basel Convention adopted in 1995 by a consensus of the Basel Parties— known as the Basel Ban — would change the Basel Convention to expressly prohibit the export of hazardous waste from rich nations (member states of the European Union, the Organization for Economic Cooperation and Development "OECD" and Liechtenstein) to other countries for any reason, including for recycling. While the Basel Ban has not yet entered into

1 force and been formally incorporated into the Basel Convention, the European Union, Norway,
2 Switzerland, and other developed countries have fully implemented the Basel Ban into their
3 domestic laws. In fact, 33 of the 41 countries to which the Basel Ban applies have implemented
4 it in their national laws.

5 10. The United States has not ratified either the Basel Convention or the Basel Ban and
6 has few regulations controlling the export of hazardous electronic waste to developing countries.
7 In fact, the United States allows waste to be exported to countries that have forbidden its import,
8 such as China.

9 11. The toxic electronic waste exported from the United States and other counties that do
10 not honor the Basel Convention or the Basel Ban has had a devastating environmental impact on
11 communities in Africa and Asia, poisoning these communities and turning them into some of the
12 most polluted places on the planet.

13 12. One of BAN's missions is to protect and defend the letter and spirit of the Basel
14 Convention and the Basel Ban. As part of that mission, BAN has worked tirelessly to expose
15 unscrupulous waste exporters — who often refer to themselves as recyclers — from
16 circumventing the Basel Convention principles. BAN has also urged the United States to ratify
17 both the Basel Convention and the Basel Ban and to adopt national laws banning the export of
18 hazardous waste, particularly hazardous electronic waste, to developing countries.

19 13. BAN also conducts field investigations in developing countries, provides
20 photographic and video documentation of toxic trade, and has produced Model National
21 Legislation for developing nations to use in combating the flow of toxic waste into their
22 countries. *See, e.g., Exhibit 1.*

23 14. BAN has produced two documentary films on global electronic waste dumping that
24 have been widely distributed. In 2008, BAN was featured on a *60 Minutes* television program
25 that has won more awards than any single *60 Minutes* segment. In that same year the
26 Government Accountability Office released a report highly critical of United States electronic
27

1 waste exports, drawing these conclusions in part from BAN's documentation. In 2009, BAN
 2 was featured in an acclaimed *Frontline* documentary about electronic waste dumping.

3 **B. BAN's E-STEWARDS® Certification Program**

4 15. An indispensable part of BAN's campaign to end the export of toxic electronic waste
 5 to developing countries is its certification program. Specifically, BAN is the owner of the
 6 federally registered E-STEWARDS® certification mark (U.S. Reg. No. 3,666,135). It licenses
 7 the use of this mark to recyclers that comply with BAN's strict certification standard for the
 8 handling and recycling of electronic waste. To become certified, a recycler must, among other
 9 things, honor the Basel Ban by agreeing not to export electronic waste to developing countries
 10 for any reason.

11 16. The E-STEWARDS program has achieved notable success. There are more than 45
 12 companies in roughly 80 locations that are currently licensed under the E-STEWARDS program.

13 17. In addition to certifying recyclers, BAN also licenses businesses that agree to use
 14 licensed E-STEWARDS electronics recyclers to dispose of their electronic waste. These
 15 businesses are called "E-STEWARDS Enterprises." Wells Fargo, Samsung, and Bank of
 16 America are among the growing list of E-STEWARDS Enterprises licensed by BAN.

17 **C. Defendants and the Phrase CERTIFIED ELECTRONICS RECYCLER**

18 18. IAER and ISRI are industry organizations. IAER is a nonprofit corporation
 19 organized as an association of electronics recyclers. ISRI is a nonprofit corporation organized as
 20 an association of scrap recyclers, which includes electronics recyclers.

21 19. Both IAER and ISRI have members in Washington.

22 20. Membership in ISRI is not open to nonprofit organizations.

23 21. Upon information and belief, ISRI acquired the assets of IAER in 2009.

24 22. One of IAER's assets is Certification Registration No. 2,679,182 for the term
 25 CERTIFIED ELECTRONICS RECYCLER, which issued on January 21, 2003 and is on the
 26 Supplemental Register. The phrase "electronics recycler" is disclaimed in the '182 Registration.
 27

1 23. In order to obtain the '182 Registration, IAER submitted its certification standards to
2 the United States Patent and Trademark Office. A true and correct copy of that submission is
3 attached as *Exhibit 2*.

4 24. After ISRI acquired the assets of IAER, IAER announced that it was going to stop
5 using the CERTIFIED ELECTRONICS RECYCLER term as a trademark. *Exhibit 3* is an
6 excerpt from ISRI's website, which states:

7 The IAER developed and implemented the first certification process designed
8 exclusively to conduct third party audits of electronics recycling facilities to achieve the
9 designation of Certified Electronics Recycler®.

10 For only those companies enrolled in or certified to IAER's Certified Electronics
11 Recycler® Program as of January 14, 2009 (the Closing Date of the IAER acquisition),
12 ISRI will maintain the program through January 1, 2010. However, no new facilities or
13 companies will be admitted to or enrolled in such program after the Closing Date.

14 Now that IAER has been integrated into ISRI, electronics recyclers will have the
15 opportunity to voluntarily participate in the Recycling Industry Operating Standard, or
16 RIOS. Participation in RIOS is not limited to ISRI members, or those qualified for ISRI
17 membership. ISRI will work with Certified Electronics Recyclers to encourage and
18 transition their companies into RIOS.

19 25. ISRI Services Corporation administers ISRI's RIOS certification program. Recently
20 ISRI combined its RIOS certification, a standard applicable to its scrap recyclers generally, with
21 R2 certification, an independent standard specifically applicable to electronics recyclers. The R2
22 certification standard — R2 stands for Responsible Recycling — was not created by ISRI.
23 Instead, it was the result of a broader stakeholder process facilitated by the Environmental
24 Protection Agency. ISRI Services Corporation is one of several different organizations qualified
25 to certify compliance with the R2 standard. In ISRI's case, it has combined the R2 standard with
26 its more general RIOS environmental management certification, with the dual certification for
27 electronics recyclers now known as RIOS/R2. ISRI now uses the phrase CERTIFIED
ELECTRONICS RECYCLER to refer to an electronics recycler that has received this dual
certification.

26. IAER is defunct and no longer controls the standards for or the use of the phrase CERTIFIED ELECTRONICS RECYCLER.

27. IAER and ISRI have stopped using the phrase CERTIFIED ELECTRONICS RECYCLER to refer to recyclers that only meet the older IAER — as opposed to ISRI's R2/RIOS — standards.

28. Where IAER once used the CERTIFIED ELECTRONICS RECYCLER mark to identify recyclers that conformed to its IAER standard, ISRI now uses the same mark to indicate that a recycler is conforming to a different certification standard – R2/RIOS.

29. Because the phrase CERTIFIED ELECTRONICS RECYCLER has been used to identify conformity with two different standards created sequentially by two different organizations, the use of the phrase as a trademark is inherently misleading and confusing to the consumer, and the trademark, to the extent any original rights exist, has been abandoned with the abandonment of the original IAER standard.

D. The Phrase CERTIFIED ELECTRONICS RECYCLER is Generic

30. The term ELECTRONICS RECYCLER is a commonly used industry term to describe an entity engaged in the recycling of electronic equipment or parts. Hundreds, if not thousands of companies refer to themselves as an “electronics recycler.”

31. The term CERTIFIED ELECTRONICS RECYCLER is a generic phrase used to describe an electronics recycler that has been certified or accredited by some private or public standards setting organization.

32. For example, in 2008 the term “certified electronic recycler” was used by the Columbian—a newspaper in Vancouver, Washington—to describe IMS Electronics, Inc., a San Diego company that became certified under a California certification program. *Exhibit 4.*

33. Similarly, in 2007, a Merced, California newspaper, referred to recyclers that had received approval from the California Integrated Waste Management Board as being “certified electronics recyclers.” *Exhibit 5.*

34. In 2009 Call2Recycle, a licensed electronic waste recycler under BAN's E-STEWARDS program, referred to itself as a "certified electronics recycler" in a press release.

Exhibit 6.

35. In 2010 the Kansas City Star described Surplus Exchange — another licensed electronics recycler under the E-STEWARDS program — as a "certified electronics recycler."

Exhibit 7.

36. In March 2010 the Environmental Protection Agency referred to the Maryland company E-structors, Inc. as a "certified electronics recycler" in a press release because it had been certified as an R2 recycler by the Perry Johnston Registrars, a certification separate and distinct from the R2/RIOS standards employing the trademark. ***Exhibit 8.***

37. The phrase CERTIFIED ELECTRONICS RECYCLER is a term used to generically describe any electronics recycler that has been certified under any certification program, regardless of whether the program was established by ISRI, the now defunct IAER, the state of California, BAN, an R2 registrar, or some other organization. Its primary significance to the relevant public is as the name for those entities engaged in electronics recycling who are certified by a standards organization.

E. Defendants' Use and Registration of a Generic Term Harms BAN and its E-STEWARDS Program

38. As an organization in the business of certifying electronics recyclers, BAN has an interest in being able to use the terms "electronics recycler," "certified recycler," and "certified electronics recycler" in connection with its certification program. The inability of BAN and its licensees to freely use these terms injures and limits its certification program and may deter electronics recyclers from seeking BAN's certification.

39. The continued use and registration of the generic phrase CERTIFIED ELECTRONICS RECYCLER as a trademark suggests that only through ISRI can one become a genuine certified electronics recycler. Any presumption of exclusive rights that injures to

1 defendants through such continued use and registration harms both the public and BAN's E-
 2 STEWARDS program and its licensees.

3 40. The continued use of the phrase CERTIFIED ELECTRONICS RECYCLER as a
 4 trademark and the continued registration of the phrase CERTIFIED ELECTRONICS
 5 RECYCLER on the Supplemental Register, with any presumptions of validity as may be
 6 accorded thereto, will continue to cause harm to BAN and its E-STEWARDS certified
 7 electronics recyclers by creating a cloud over their use of the generic descriptive phrases
 8 "certified electronics recycler" and "electronics recycler."

9 **IV. CLAIM NO. 1**
 10 **(15 U.S.C. § 1064(3) — GENERICNESS)**

11 41. BAN incorporates the allegations in paragraphs 1 through 40.

12 42. The phrase CERTIFIED ELECTRONICS RECYCLER is a generic term that cannot
 13 function as a trademark. Therefore, the '182 Registration should be cancelled under 15 U.S.C.
 14 §§ 1064 and 1119.

15 **V. CLAIM NO. 2**
(15 U.S.C. § 1064(3) — ABANDONMENT)

16 43. BAN incorporates the allegations in paragraphs 1 through 42.

17 44. The '182 Registration for CERTIFIED ELECTRONICS RECYCLER should be
 18 cancelled under 15 U.S.C. §§ 1064 and 1119 because IAER abandoned the mark for use with its
 19 certification program.

20 **VI. CLAIM NO. 3**
(15 U.S.C § 1064(5) — MISUSE)

21 45. BAN incorporates the allegations in paragraphs 1 through 44.

22 46. IAER no longer controls the claimed mark CERTIFIED ELECTRONICS
 23 RECYCLER.

24 47. IAER and ISRI have stopped using the claimed mark to certify recyclers that meet the
 25 IAER — as opposed to ISRI — standards.
 26
 27

1 48. The mark CERTIFIED ELECTRONICS RECYCLER should be cancelled under 15
 2 U.S.C. §§ 1064(5) and 1119 because a certification mark cannot be transferred from one
 3 certification program to another program that was created by a different organization, at a
 4 different time, using different certification standards. And a registrant cannot refuse to certify or
 5 to continue to certify the services of any person who maintains the standards which such mark
 6 certifies.

7 **VII. CLAIM NO. 4**
 8 **(DECLARATORY JUDGMENT — 28 U.S.C. § 2201)**

9 49. BAN incorporates the allegations in paragraphs 1 through 48.

10 50. Organizations that certify electronics recyclers, media sources, government agencies,
 11 and electronics recyclers all use the phrase “certified electronics recycler” to describe an
 12 electronics recycler that has been certified under a certification program.

13 51. Because BAN certifies recyclers of electronics under its E-STEWARDS program, it
 14 has and will continue to use the terms “electronics recycler” and “certified electronics recycler”
 15 in connection with its program.

16 52. BAN seeks a declaration from the Court that its use of the phrases “electronics
 17 recycler,” “certified recycler,” and “certified electronics recycler” does not infringe Defendants’
 18 claimed mark CERTIFIED ELECTRONICS RECYCLER.

19 **PRAYER FOR RELIEF**

20 Basel Action Network prays for the following relief:

21 1. A judgment ordering the Director of the United States Patent and Trademark Office
 22 to cancel Registration No. 2,679,182 for CERTIFIED ELECTRONICS RECYCLER.

23 2. A declaratory judgment that BAN’s use of the terms “certified electronics recycler”
 24 and “electronics recycler” in connection with its E-STEWARDS certification program does not
 25 infringe the CERTIFIED ELECTRONICS RECYCLER claimed mark.

26 3. An award of BAN’s reasonable attorneys fees and costs, as may be allowed by law or
 27 the equitable powers of the Court.

1 4. Such further relief as the Court deems just and equitable.

2 DATED this 7th day of June, 2010.

3 STOKES LAWRENCE, P.S.

4
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EXHIBIT 1



http://www.seattlepi.com/local/59672_ewaste25.shtml

'Dirty little secret of high-tech revolution'

By recycling 'e-waste,' U.S. harming people overseas, report says

Monday, February 25, 2002

By ROBERT MCCLURE
SEATTLE POST-INTELLIGENCER REPORTER

Toting his video camera down an earthen embankment, Seattle activist Jim Puckett trudged toward clouds of smoke at a computer "recycling" outfit in a Chinese village. But when he got there, he found the white plumes were not smoke at all.

Instead, clouds of acrid gas poofed skyward as workers swirled a mixture of hydrochloric acid and nitric acid in open vats, trying to dissolve the gold out of old computer parts. The workers, with nothing to protect their lungs, dumped the leftover gray-black sludge alongside the adjacent river.

For days, Puckett witnessed how little actual recycling went on, and how much waste from used electronic equipment was piling up in and alongside the waterways. A soil sample at one site revealed toxins at rates hundreds of times higher than what would prompt a special Superfund cleanup here.

"It's quite devastating to the environment," Puckett said after his return to Seattle from the Guiyu region northeast of Hong Kong. "It was an eye-opener."

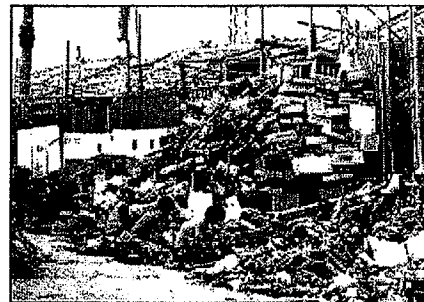
In a report released today based in part on Puckett's voyage, several environmental groups detail how Americans' efforts to do the right thing and recycle old electronic equipment have led to widespread pollution and dangerous working conditions in China, Pakistan and India. Puckett also has heard reports of similar conditions in Vietnam and the Philippines.

"The export of e-waste remains a dirty little secret of the high-tech revolution," says the report by the Basel Action Network, Asia Pacific Environmental Exchange, the Silicon Valley Toxics Coalition and two Asian organizations.

"A free trade in hazardous waste leaves the poorer peoples of the world with an untenable choice between poverty and poison -- a choice that nobody should have to make," the report says.

With advances in technology making computers, televisions and other modern gadgets obsolete at an ever-faster pace, a major dilemma is shaping up: What to do with used electronics equipment? Often it is full of toxic materials, such as the several pounds of lead found in every television and computer screen.

Activists say the United States should follow an international treaty against exporting toxic waste to



zoom

AP

Computers sent overseas for recycling are instead scavenged in Guiyu, China.

poor nations and embrace policies like those being adopted in Europe to reduce the amount of toxic material in electronics.

Cathode ray tubes in televisions and computers, as well as computer circuit boards, contain enough toxins to qualify as hazardous waste -- but they are allowed under U.S. law to be exported if they are being "recycled."

At least some electronics recycling here and abroad is done properly. But Puckett and his fellow investigators present evidence in today's report that in at least three countries, the industry is endangering workers' health and the environment.

"The report is going to cause quite a stir," predicted David Stitzhal, a computer waste consultant who represents Seattle, King County, Portland and a number of other Northwest governments in a series of talks focusing on the issue.

With computers in over two-thirds of Seattle homes, this is a local issue as well as an international one.

"Recycling of this stuff is so difficult. And the markets are so immature as we try to deal with all this equipment that we only invented in the last 20 years," Stitzhal said, "that if all of a sudden all these overseas markets are gone, we've got an even more intractable problem than we thought."

Still, viewing the investigators' video "hit me in the gut," said Stitzhal, who wants to see changes made.

Some elements of the budding electronics recycling industry have banded together as the International Association of Electronics Recyclers. The group offers certification for companies that abide by certain worker-safety and environmental standards and that can ensure that most of the material they receive is truly recycled instead of being dumped.

While about 500 companies and organizations in the United States have a part in the electronics recycling industry, only about 100 are members of the group, said John Powers, an IAER consultant.

"They get paid by companies to do the right thing," Powers said. "They get paid, frankly, for keeping companies' products and names out of the news. They don't want stuff with their logos on it ending up in rivers."

But that's exactly what the environmental activists found when they visited Guiyu in December.

Among the ownership tags the activists saw on electronic equipment in Guiyu were those of a Chicago bank, the Kentucky education department, a Minnesota small-business development center, the city of Los Angeles and the Los Angeles Unified School District.

Investigators documented children playing amid heaps of ash from burned electronic waste, unprotected workers brushing a suspected cancer-causing substance called carbon black from computer printer cartridges, laborers cracking open cathode ray tubes containing toxic lead and barium, and widespread burning of plastics that is almost certain to produce dioxins. They also found women whose work involved sitting by small fires, heating up computer circuit boards to melt the lead-and-tin solder, producing toxic fumes they could not help but inhale.

"Right now, we're creating Superfund sites in China, and they'll never have a Superfund to clean it up," Puckett said.

With the waterways of Giuyu polluted, the people there have taken to importing their water for drinking and cooking from more than 15 miles away, townspeople told the activists and Chinese journalists. Laborers make the equivalent of about \$1.50 a day.

"For money, people have made a mess of this good farming village," a 60-year-old man told a Chinese journalist, according to a translation provided by the environmental groups. "Every day villagers inhale this dirty air, their bodies have become weak.

"Many people have developed respiratory and skin problems. Some people wash vegetables and dishes with the polluted water, and they get stomachache sickness."

In one image captured on the activists' videotape, a young boy kneels by a dark rivulet that flows past mounds of burned computer waste, clutching a partly eaten apple. In another, a barefoot child sits atop a pile of discarded printer cartridges, computer casings and other electronic junk.

And in Pakistan and India, a preliminary look by Asian environmental organizations turned up equally dangerous conditions, the groups reported.

In New Delhi, children are routinely employed to burn circuit boards, while in Karachi "circuit boards are desoldered with blow-torches with no ventilation fans. And acid operations take place indoors with less ventilation," the activists reported. Primitive smelting and acid-stripping operations take place in those countries, too, today's report says.

What are consumers to do?

"Right now we are left with very few moral, sustainable choices as to what to do with e-waste other than store it indefinitely" in the attic or basement, Puckett said.

Cullen Stephenson, who manages the Washington Department of Ecology's solid-waste program and represents the state on a national committee struggling with the question, agreed.

"There are several programs emerging, so unless it's doing some harm, let it stay in your basement for now," he said.

That is by and large what consumers have been doing. And because of that, industry officials said, the problem seems likely to mushroom in the next few years as consumers begin to dispose of their old computers, printers and so forth.

By one estimate, the number of electronics items to be recycled in the United States is projected to grow from about 12 million in 2000 to more than 25 million in 2005. Another estimated projected that 500 million pieces of electronic equipment would be discarded between 1997 and 2007 -- containing about 1.5 billion pounds of lead, 3 million pounds of cadmium and 632,000 pounds of mercury, according to today's report.

There are no current, reliable estimates about how much is exported for recycling, Stephenson said.

According to the activists, none should be. They point to the Basel convention, a 1989 international treaty that bans the export of hazardous waste from rich nations to poor nations. The United States signed the pact, but Congress' failure to ratify it left the United States the only developed country in that position. The only other signatories that have failed to ratify the treaty are Haiti and Afghanistan.

The U.S. government actually encourages exportation of electronics waste, although it does not condone the improper disposal documented in today's report.

"Clearly they're dumping a lot of crap into the land and air and water and probably people's lungs," said Bob Tonetti, a scientist in the U.S. Environmental Protection Agency's Office of Solid Waste. "It's somewhat disconcerting to hear this, and it needs to be changed. And it needs to be changed through international activities and agreements and education."

If the United States were to unilaterally stop exporting electronic waste, other nations still would send waste to China and other Asian countries from other nations, Tonetti said. Plus, the United States could not handle all of its own e-waste.

"If we didn't have export markets, we wouldn't be able to do what we're doing here in terms of recycling," Tonetti said. "We need those export products."

Mark Small, vice president for environment, safety and health at Sony Electronics Inc., said electronics recycling produces only a small amount of the waste in Asia. Much more comes from the manufacturing of toys, clothing and other items, he said. "To be blunt, we need those low labor rates to get value out of products, so that you can go to Wal-Mart and buy a boombox for \$30," Small said. Similarly, he said, electronics recycling relies on low Asian wages.

Small said considering that many electronics are produced in Asia, it's only fair that some of the recycling go on there, too.

"If we want a truly closed-loop system, we have to send them back to where they are manufactured," he said.

But Stitzhal, the local government consultant for Seattle and other cities, advocates expanding the recycling industry in the United States to provide jobs. Unemployed timber workers and others could benefit, he said.

One person trying to beef up the domestic industry is Seattle recycler Craig Lorch, co-owner of Total Reclaim in the South Park area. Lorch sends glass from cathode ray tubes to Pennsylvania for recycling. He explained that he could make more by sending them overseas; he would save a bundle on labor costs here, plus he would get paid for each tube.

Some materials don't have ready markets here, Lorch said. He sells them to brokers, who may well be sending the material overseas.

"We're trying to do the right thing by recycling the stuff," Lorch said. "But if the result of us keeping that stuff out of our landfills is that it goes to another country where it's improperly managed, what are we gaining?"

"We're just poisoning someone else to benefit ourselves."

P-I reporter Robert McClure can be reached at 206-448-8092 or robertmcclure@seattlepi.com

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EXHIBIT 2

International Association of Electronics Recyclers

IAER CERTIFICATION STANDARD

1. OBJECTIVES

The IAER Certification Program is intended to provide a service to member companies to help them improve their management systems and gain recognition for high quality business practices. Generally accepted minimum requirements have been established by the IAER as a basis for certifying electronics recycling companies.

2. CERTIFICATION PROCESS

The IAER Certification Process employs a leading third party Registrar with expert auditors to evaluate the management systems and capabilities of electronics recycling companies in relation to the IAER Certification standards. The evaluation of adequacy is based on a determination of whether the requirements were:

1. addressed
2. implemented
3. effective

3. MANAGEMENT SYSTEMS

IAER Certification addresses the key elements of basic management systems, including: **Environment, Health, Safety and Quality.**

These management systems shall have the following **common elements**:

3.1 COMMITMENT & POLICY

There shall be corporate commitments, in the form of policies and/or instructions that address the achievement and improvement of high standards of business practices in relation to each of the basic management systems.

3.2 PLANNING

There shall be a planning process for each of the basic management systems that:

- Identifies significant aspects or elements
- Identifies legal requirements
- Establishes objectives & targets
- Establishes programs for achieving objectives and targets

3.3 IMPLEMENTATION

The management systems shall be implemented as evidenced by the following, as applicable:

- Structure & responsibilities
- Training, awareness & competence
- Communications
- Documentation
- Operational control
- Emergency preparedness & response

3.4 MEASUREMENT & EVALUATION

The management systems shall have a process for measuring and evaluating their effectiveness that includes such elements as:

- Monitoring & measurement
- Non-conformance and corrective & preventative action
- Records management
- Internal management system audits

3.5 REVIEW & IMPROVEMENT

The management systems shall have a Management Review process that includes:

- Objectives, targets and performance
- Audit findings
- Evaluation of management systems effectiveness

- Evaluation of corporate policy
- Recommendations for action, change and improvement

3.6 In addition, the management systems shall have **unique elements**, as appropriate. These would typically include:

3.6.1 Environment

- The identification and assessment of Environmental Aspects
- Evidence of compliance with applicable environmental regulations

3.6.2 Health & Safety

- Processes and programs for the prevention of accidents and illnesses
- Evidence of compliance with applicable health and safety regulations

3.6.3 Quality

- Operational quality procedures and controls
- Business process quality program

4. GENERAL BUSINESS

IAER Certification also addresses business factors that are generally expected by customers of good suppliers. These include:

4.1 Management

- Top Management of the company shall be knowledgeable, supportive and involved in the basic Management Systems.
- The management of the company shall be guided by a current, documented Operating Plan.

4.2 Finances

- The company shall have financial stability and adequate resources to meet its customer commitments.

4.3 Insurance

- There shall be adequate insurance coverage for potential risks and liabilities associated with the nature and magnitude of the company's operations.

4.4 Security

- There shall be a plan and program for the security of the physical facilities, products and materials assets involved in the operational processes.

5. OPERATIONAL CAPABILITIES AND PROCESSES

IAER Certification also addresses the operational capabilities and processes of electronics recycling. The basic capabilities that would generally be expected by customers include:

5.1 Key Elements of Operation

- There shall be physical capabilities to support the key operational elements that are consistent with the scope and mission of the company. These would typically include materials handling, processing, storage, and transportation.
- There shall also be management processes to support operations, such as tracking and reconciliation of customer products and materials.
- There shall be evidence that a high percentage of the product received by the company is recycled and not landfilled as well as a commitment to continuously improve in this area.
- There shall be a process for the evaluation and monitoring of key contracted operations in relation to compliance with applicable regulations.

5.2 Qualifications and Training of Personnel

The staff of the company involved in critical operations shall have adequate technical knowledge, skills and experience to perform their assigned tasks.

5.3 Suitability of Equipment and Facilities

The equipment and facilities of the operation shall be adequate to support the key elements of the operation.

Revised 8/24/00

International Association of Electronics Recyclers

IAER CERTIFICATION PROGRAM

OVERVIEW

In response to a priority need identified by the electronics recycling industry, the IAER has developed a certification process to support and promote high standards of environmental quality and regulatory compliance. Companies that are found to meet the IAER certification criteria as a result of the formal, objective certification process, will be recognized as a **"Certified Electronics Recycler"**. The IAER Certification Program is also intended to provide a service to member companies to help them improve their management systems and gain recognition for high quality business practices. Organizations seeking to dispose of electronics equipment will be able to have confidence in selecting Certified Electronics Recyclers as their suppliers of choice.

BASIC PROCESS FOR CERTIFICATION

APPROACH

- Focus on improving management systems - not evaluating operational or technical processes and performance.
- Minimize the audit burden to the member company.
- Recognize certifications and audits already achieved (e.g., ISO 9001 & 14001)
- Engage an objective entity/resource to manage and conduct the certification process.

GENERAL SCOPE - Management Processes and Programs

- General Business Credentials
 - e.g., management, finances, insurance, customer service
- Operational Management
 - e.g., business practices, controls, security, regulatory compliance
- Environmental Management System (EMS) - e.g., ISO 14001 or equivalent
- Quality Management System (QMS) - e.g., ISO 9001 or equivalent
- Health & Safety
- Qualifications and Training of Personnel
- Suitability of Equipment and Facilities
- Licenses & Permits - as applicable

PROCESS STEPS

1. **Questionnaire** – checklist of pre-qualifying criteria
 - Submit to company for completion and return
 - Review questionnaire vs. certification criteria and audit process requirements
 - Identify deficiencies, questions, and focus areas for audit
 - Respond to company for clarification, additional information or confirmation
2. **Audit Preparation** – *optional service* to member company seeking certification
 - Pre-assessment based on review of questionnaire and on-site interviews
 - Consultation and recommendations to management for improvements
 - Orientation and preparation of management and staff for audit process

3. **Audit** – on-site review
 - Review and assessment of management processes vs. certification criteria
 - Focused and tailored to company based on review of questionnaire (and audit prep)
 - Advice and counsel on-site as needed
 - Preliminary assessment and recommendations to management – including any deficiencies
4. **Follow-up**
 - Confirmation of certification – if applicable + issuance of Certificate
 - Identification of deficiencies – if applicable
 - Recommendations for improving deficiencies – if applicable
 - Schedule follow-up audit to close deficiencies
5. **Maintenance**
 - Follow-up audits will be scheduled annually to maintain the certification.

CERTIFICATION SERVICE PROVIDERS

Auditing/Certification – After conducting a formal proposal and evaluation process among a select group of companies that are leaders in the field of environmental, health, safety and quality auditing, the IAER selected **Bureau Veritas Quality International (BVQI)** to provide Certification Services for the electronics recycling industry. BVQI is a world leader in registration to international quality and environmental standards. Their team of over 1200 auditors is recognized by 17 accreditation bodies and has issued over 27,000 certificates in more than 70 countries.

Preparation/Consulting Support – The IAER is offering its Members an **optional service** to help them prepare for the certification process and improve their chances for a successful audit (see “Audit Preparation”). This service is provided by the IAER independent of the Auditor. Initially, depending on the demand, this service will be provided personally by John Powers, IAER General Manager. In addition to being intimately involved in the development of the IAER Certification Process, Powers has extensive experience in helping companies prepare for ISO 14000 & 9000, as well as being a recognized expert in the electronics industry.

COSTS

Certification – For the review of the pre-screening questionnaire, communication and planning with the Member Company to be audited, conducting the certification audit, and submitting a report, the IAER will invoice fees plus expenses. These charges cover the fees and expenses from the Certification Service Provider as well as direct and indirect costs incurred by the IAER in support of the Certification Program.

For a single site operation, the fee for certification is **US\$4950 + expenses** (travel).

For multiple site operations, the fee for each additional site is **US\$2500 + expenses**.

Preparation – For those Member companies choosing to have support in the preparation for the certification process, this consulting service will be provided for a fee of **US\$1500 per day + expenses** (travel). It is anticipated that a typical certification of a single site operation will require the equivalent of one day off-site and one day on-site support. These charges are payable directly to the IAER to cover the direct and indirect costs incurred to provide these services.

HOW TO GET STARTED

To get on the list of companies to be scheduled for certification, call or email the IAER now at: **888-989-IAER (4237) or Info@iaer.org**

Revised 8/24/00

EXHIBIT 3



*The Trade Association For The
Electronics Recycling Industry*

Certification for Electronics Recycling Facilities

The IAER developed and implemented the first certification process designed exclusively to conduct third party audits of electronics recycling facilities to achieve the designation of Certified Electronics Recycler®.

For only those companies enrolled in or certified to IAER's Certified Electronics Recycler® Program as of January 14, 2009 (the Closing Date of the IAER acquisition), ISRI will maintain the program through January 1, 2010. However, no new facilities or companies will be admitted to or enrolled in such program after the Closing Date.

Now that the IAER has been integrated into ISRI, electronics recyclers will have the opportunity to voluntarily participate in the Recycling Industry Operating Standard, or RIOS®. Participation in RIOS is not limited to ISRI members, or those qualified for ISRI membership. ISRI will work with Certified Electronic Recyclers to encourage and transition their companies into RIOS.

RIOS has formally adopted the EPA-facilitated "Responsible Recycling (R2) Practices" and is integrating them into its RIOS accreditation program so that electronics recycling facilities can be certified to RIOS + R2.

The process for obtaining certification to RIOS + R2 comprises the following steps:

- Join RIOS
- Attend a RIOS + R2 Course
- Prepare for Certification to RIOS + R2
- Engage RIOS + R2 Registrar to schedule certification audits

For more information about RIOS and R2, [CLICK HERE](#) to go to the website.

[IAER Certified Electronics Recyclers](#)

[Return to Home Page](#)

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6/8/08 Columbian (Vancouver, WA) E
2008 WLNK 10885874

Columbian (Vancouver, WA)
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June 8, 2008

Section: Business

High-tech destruction

JONATHAN NELSON; JONATHAN NELSON Columbian staff writer

Larry Rocha of Portland tosses components into boxes as he dismantles monitors at IMS Electronics Recycling in Vancouver. The San Diego-based company opened a recycling center in Vancouver to capitalize on legislation in Washington and Oregon that forces electronics manufacturers to pay for recycling.

IMS' 50,000-square-foot warehouse at the Port of Vancouver is processing about 300,000 pounds of e-waste a month and has the capacity to handle 2.5 million pounds on one shift in a year.

Leron Richards of Vancouver works at a glass cutting machine at IMS Electronics Recycling. The machine uses a hot wire to cut leaded glass from nonleaded glass.

The crew of 14 at IMS Electronics Recycling does each day what we've all dreamed about doing when our computer has crashed mid- task - tear the machine apart.

By early 2009, there could be 60 employees at IMS' nondescript warehouse at the Port of Vancouver and a second shift could come later in 2009.

Two converging trends are driving IMS' rapid growth. The first is an increasing supply of outdated computers, television and electronic gadgets. The second comes from state governments demanding that those machines packed with hazardous materials be kept out of landfills.

"What we're doing is following the legislation, state by state," said Ed Siegel, general manager of San Diego-based IMS.

That strategy put IMS at the border of Washington and Oregon last year in anticipation of both states enacting a new law in 2009 that requires manufacturers to pick up the recycling tab. Oregon and Washington are among a handful of states that have enacted such legislation.

But this is not easy money. Each state is handling its program a little differently and there is still uncertainty as to how the money will flow from manufacturers to recyclers.

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The patchwork of laws has Siegel and others in the industry hoping for a more uniform federal standard.

IMS isn't the only recycler in the market vying for a piece of an estimated 121 million pounds of e-waste generated annually in Oregon and Washington. That figure could spike in 2009 as a government-mandated switch to all digital TV signals could make a number of cathode ray TV sets obsolete.

The digital factor

The Washington Department of Ecology predicts that between 2003 and 2010 state residents will discard 4.5 million computer processing units, 3.5 million cathode ray tube monitors and 1.5 million flat panel monitors.

Electronics makers, rather than fight the recycling push, are using the movement as a marketing tool by creating their own programs to defray governmental fees while draping themselves in the green flag of environmentalism.

Sony has partnered with trash hauler Waste Management to sponsor a series of "Take Back Recycling Programs" across the country that let people drop off unwanted devices at no charge. Hewlett-Packard made a splash on national television when it announced its "Green is Universal" initiative on NBC's Today show. Take a used product to Staples and HP will give you \$50 off its more energy efficient printers and \$150 off some of its computers.

IMS is no newcomer to recycling. The family-owned business got its start in 1954 handling nonferrous metals including aluminum, copper, brass and stainless steel. It formed two separate entities, CP Manufacturing in National City, Calif., and Krause Manufacturing Inc., in Bellingham, to manufacture waste management and recycling equipment.

IMS Electronics Recycling joined the stable of companies in 1988 and has become the fifth largest **certified electronics recycler** in California, Siegel said. The company has received similar certification from Washington. The approval guarantees that IMS and its end users follow strict guidelines to recycle and dispose of hazardous waste.

Jim Wriston, manager of the Vancouver site, said IMS gets its material from the public, corporate clients and companies that collect from a variety of sources. An initial sorting separates the material into cathode ray terminals, computer processors and miscellaneous electronics. Reusable items are pulled out for wholesale while the rest heads to the production area where employees tear down the machines into smaller bits.

Glass is separated into clean, leaded and recycled. The rest is sorted into commodity categories and sent to a 70,000-pound shredder that grinds it into smaller pieces and separates the plastic from metals.

Siegel said the Vancouver site is processing 300,000 pounds of material a month and has the capacity to do 2.5 million pounds on one shift in one year. By comparison, the San Diego facility processes 1 million pounds of waste a month. He declined to release revenue figures.

IMS' growth potential locally will be determined by how well positioned the company is as 2009 approaches and how quickly the public adopts the new policies.

IMS Electronics Recycling

What: IMS collects and recycles computers, televisions and assorted other electronic devices,

Where: IMS operates out of a 50,000-square-foot warehouse at the Port of Vancouver.

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Strategy: The San Diego-based company is focusing its growth on states such as Washington and Oregon that have enacted legislation requiring manufactures pay for the recycling of electronic products.

Ownership: Privately held family company.

Jonathan Nelson can be reached at 360-735-4543 or via e-mail at jonathan.nelson@columbian.com

---- INDEX REFERENCES ----

COMPANY: HEWLETT PACKARD (CANADA) CO; NBC UNIVERSAL INC; IMS (LONDON); WASTE MANAGEMENT INC; KRAUSE MANUFACTURING; IMS (UNITED STATES); MICRONETICS INC INFORMATION MANAGEMENT SYSTEMS; IMS; NATIONAL BROADCASTING COMMISSION; NATIONAL BANK OF COMMERCE (UGANDA) LTD; NOVADIGM INC; IMS MAXIMS PLC; INTERNATIONAL MILL SERVICE INC; HEWLETT PACKARD; HEWLETT PACKARD CO

NEWS SUBJECT: (Legal (1LE33); Legislation (1LE97); Government (1GO80))

INDUSTRY: (Water Transportation (1WA23); Environmental (1EN24); Computer Equipment (1CO77); I.T. in Government (1IT22); I.T. (1IT96); Hazardous Waste (1HA81); Environmentally Friendly Computer Technology (1EN03); Transportation (1TR48); Corporate & Municipal Recycling (1XO60); Environmental Solutions (1EN90); Ports & Harbors (1PO28); Environmental Services (1EN69); I.T. in Transportation (1IT48))

REGION: (North America (1NO39); Oregon (1OR01); USA (1US73); Americas (1AM92); California (1CA98))

Language: EN

OTHER INDEXING: (BACK RECYCLING PROGRAMS; CP; HEWLETT PACKARD; IMS; IMS ELECTRONICS RECYCLING; KRAUSE MANUFACTURING INC; NBC; SONY; STAPLES; TV; WASHINGTON DEPARTMENT OF ECOLOGY; WASTE MANAGEMENT) (Ed Siegel; High; Jim Wriston; Larry Rocha; Leron Richards; Reusable; Siegel)

Word Count: 1072

6/8/08 COLUMBIAWA E

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EXHIBIT 5

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11/29/07 Merced Sun-Star (CA) B3
2007 WLNR 23613320

Merced Sun-Star, The (CA)
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November 29, 2007

Section: LOCAL & REGION

HELP COMING FOR E-WASTE DISPOSAL
NO QUICK OR EASY ANSWER ON WHERE CONSUMERS CAN GET RID OF COMPUTERS, CELL
PHONES, BATTERIES, MONITORS, ETC.

How should consumers who care about the environment dispose of their electronic waste, old TVs, computers, monitors, cell phones, cables, batteries and more? It's not an idle question.

Californians dispose of an estimated 500,000 tons of e-waste every year. As the Associated Press recently reported, much of it ends up in developing countries where workers use hammers, their bare hands and torches to tear apart the old equipment, extract the valuables and dump the rest, creating a toxic electronic stew that poisons workers and the environment.

California approved one of the toughest e-waste recycling laws in the country four years ago. Under it, manufacturers pay a fee to the state that is used to subsidize the recycling of TV sets, laptops and computer monitors, among other things. But the law covers only a fraction of the e-waste generated every year.

So far, efforts to expand electronic recycling by imposing standards on manufacturers to reduce the amount of hazardous materials they use in their products or by expanding e-waste recycling mandates have not been successful. Gov. Arnold Schwarzenegger vetoed a bill this year that would have required manufacturers to reduce the amount of toxic materials in electronic goods sold in this state. A second bill to expand the amount of electronic equipment covered under the state's e-waste recycling law stalled in the Legislature.

So there is no quick or easy answer to the question of where responsible consumers should dispose of their e-waste, but there is a place to start -- the Web site maintained by the California Integrated Waste Management Board: www.ecycle.org.

Punch in the name of your county and the site will provide a list of **certified electronic recyclers** in your area and elsewhere in the United States. For those who don't have access to the Internet, the CIWMB has provided a toll-free number -- 866-218-6103 -- where consumers can get e-recycling help in Spanish or English.

--- INDEX REFERENCES ---

NEWS SUBJECT: (Health & Family (1HE30); Government (1GO80); Health & Safety (1HE24))

INDUSTRY: (I.T. (1IT96); Environmental Solutions (1EN90); Home & Multimedia PCs (1HO36); Consumer Elec-

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tronics (1CO61); Electronics (1EL16); Portable PCs (1PO56); Computer Equipment (1CO77); Environmentally Friendly Computer Technology (1EN03))

REGION: (Americas (1AM92); North America (1NO39); USA (1US73); California (1CA98))

Language: EN

OTHER INDEXING: (CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD; CIWMB; TV; TVS; VIEWPERSPECTIVE) (Arnold Schwarzenegger; California; Californians; Punch)

KEYWORDS: opinion

EDITION: ALL

Word Count: 395

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EXHIBIT 6



Recharging the planet. Recycling your batteries.™



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Call2Recycle Becomes First Battery Program to Be Recognized by Basel Action Network

North America's most comprehensive rechargeable battery recycling program earns e-Stewards qualification

ATLANTA, August 11, 2009 Call2Recycle's most successful rechargeable battery recycling program, today announces that it has become the first program of its kind to be recognized as an e-Steward by the Basel Action Network (BAN). This voluntary recognition affirms that Call2Recycle has completed BAN's initial audit and qualification requirements and is now in line to become one of the first independently audited, accredited and certified electronics recyclers in North America. The e-Stewards designation is given for electronics and battery recyclers that uphold the strictest standards for environmental safety and social responsibility.

BAN, a toxic trade and corporate responsibility watchdog, is named for the Basel Convention, an international treaty created to prevent the dumping of toxic waste from rich to poorer nations. In 1995 the Basel Convention passed a decision to prohibit the export of hazardous waste to developing countries. As a global organization, BAN works to prevent the global dumping of toxic e-waste that has become all too common today, and promotes responsible recycling here in North America. Call2Recycle will join a select group of e-Stewards recyclers whose collection and recycling process have been recognized by BAN, assuring that no toxic e-waste collected by these organizations is dumped in landfills or incinerators, exported to developing countries or sent to prison labor operations.

"We believe that Call2Recycle meets and exceeds the highest environmental standards in North America, but in an era of 'greenwashing' and misleading claims, we also believe in the necessity of third-party certification of our performance," said Carl Smith, Chief Executive Officer, Rechargeable Battery Recycling Corporation (RBRC). "We are proud that our recycling program has been recognized as an e-Steward solution for rechargeable batteries. Consumers can be assured that the rechargeable batteries they recycle with Call2Recycle are handled in a way that is best for the environment and workers in all corners of the world."

According to BAN, only 12.5 percent of discarded electronics products in the U.S. were collected for recycling in 2005, of which an estimated 80 percent was then exported to developing countries for processing. To generate support for the mounting crisis, BAN continually reports on the negative effect that the mismanagement and mishandling of e-waste has on the environment and society, most recently teaming with PBS's "Frontline" and CBS's "60 Minutes" news magazines to expose the deadly impacts of toxic electronics recycling operations in China and in Africa. BAN also uses its resources to create positive solutions, such as e-Stewards, and reward industry organizations that have taken steps to ensure the soundness of their waste management programs at all points in the process.

"We are thrilled to recognize Call2Recycle as an e-Steward," said BAN Executive Director Jim Puckett. "That means they have already passed our initial in-house audit program with flying colors and have agreed to be audited and certified by an accredited certifying body next year to an even more comprehensive standard. Call2Recycle has stepped forward to be among the most conscientious companies in an industry in need of such leadership."

All of the rechargeable batteries collected through the program are recycled at various processing locations in North America and none of the broken-down material makes its way into landfills. Cell phones collected through the program are recycled or refurbished and resold when possible with proceeds benefiting select charities. The transport and recycling of used rechargeable batteries and cell phones collected through Call2Recycle are in accordance with the U.S. Department of Transportation, Transportation Canada, and the Universal Waste Rule.

Call2Recycle offers consumers, businesses, communities and retailers a free and convenient way to recycle the used rechargeable batteries found in cordless electronic products, such as cell phones, laptop computers, digital cameras, PDAs, cordless power tools, two-way radios, mp3 players and camcorders. To learn more about Call2Recycle and find local collection sites, visit www.call2recycle.org, Wikipedia or Facebook.

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About BAN's e-Steward Initiative

The Basel Action Network's e-Steward Certification is the continent's first independently audited and accredited electronic waste recycler certification program. It forbids the dumping of toxic e-waste in developing countries, local landfills and incinerators; the use of prison labor to process e-waste; and the unauthorized release of private data contained in discarded computers. For more information, please visit www.e-Steward.org.

About Call2Recycle®

Call2Recycle is the industry's first and only product stewardship program for rechargeable batteries. The nonprofit program is administered by the Rechargeable Battery Recycling Corporation (RBRC), a public service organization dedicated to rechargeable battery recycling. There are more than 30,000 Call2Recycle drop-off locations throughout the United States and Canada. More than 175 manufacturers and marketers of portable rechargeable batteries and products show their commitment to conserve natural resources and prevent rechargeable batteries from entering the solid waste stream by funding the Call2Recycle program. In pursuit of its mission, Call2Recycle also collects old cell phones, which are either recycled or refurbished and resold when possible with a portion of the proceeds benefiting select charities. For more information, call 877-2-RECYCLE or visit www.call2recycle.org.

© 2010 All rights reserved. Call2Recycle® is a program of the Rechargeable Battery Recycling Corporation (RBRC) promoting environmental sustainability by providing free battery and cell phone recycling in North America. RBRC is a 501 (c)(4) nonprofit public service organization.

EXHIBIT 7

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4/7/10 Kan. City Star (Pg. Unavail. Online)
2010 WLNR 7142086

Kansas City Star (MO)
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April 7, 2010

Electronics recycling is April 17

Independence has scheduled a consumer electronics recycling event on April 17, where area residents can safely dispose of computers, televisions and other electronics.

Independence is collaborating with the Surplus Exchange, a Kansas City nonprofit organization and a **certified electronics recycler**. City officials believe that such recycling opportunities reduce illegal dumping.

At last year's event, residents brought in about 35,000 pounds of unwanted electronics.

The event is scheduled from 9 a.m. to 3 p.m. in the large parking lot just south of Independence Square, bordered by Kansas Avenue and Walnut, Osage and Liberty streets.

Though the city is organizing the event, no proof of residency is required to participate.

A sliding scale of fees will be charged to cover the costs of processing the materials. The fee to recycle computer monitors and desktop printers will be \$11; televisions 19 inches or smaller, \$16, and televisions 20 inches or larger, \$21.

Cell phones, pagers, and CD players will be collected for free.

--- INDEX REFERENCES ---

INDUSTRY: (Environmental (1EN24); Environmentally Friendly Computer Technology (1EN03); Computer Equipment (1CO77); Corporate & Municipal Recycling (1XO60); Environmental Solutions (1EN90); I.T. (1IT96); Consumer Products & Services (1CO62); Environmental Services (1EN69))

REGION: (North America (1NO39); Kansas (1KA13); Americas (1AM92); USA (1US73))

Language: EN

OTHER INDEXING: (CD; SURPLUS EXCHANGE) (Cell; City; Independence; Kansas Avenue; Liberty) (Kansas City; us; usa; na; us.mo; us.mo.kcity; us.mo.kancity)

KEYWORDS: (CT/ebf.bus.env); (CT/ebf.bus); (CT/ebf); (CT/eni.env); (CT/eni); (NT/Environment); (NT/Power+Energy)

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Word Count: 205

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3/9/10 Env'tl. Protection Agency Documents (Pg. Unavail. Online)
2010 WLNR 4932038

Environmental Protection Agency Documents
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March 9, 2010

Section: Press Release/Statement

Mid-Atlantic Region Gets First **Certified Electronics Recycler**

PHILADELPHIA

(March 9, 2010) --

Through a brand new electronics recycling certification program, the U.S. Environmental Protection Agency is taking steps to ensure that electronics recyclers adhere to highly protective standards for workers and the environment in processing pre-owned electronics.

This new certification process also means that recycled materials will not be shipped overseas without the consent of the designated country.

Three companies nationwide have received this new designation -- called Responsible Recycling Practices Certification. The first, and only certified recycler in the mid-Atlantic region is E-structors, Inc. of Elkridge, Md. TechTurn of Austin, Texas, and Waste Management of Minnesota were also certified as electronic recycling firms.

E-Structors, founded in 2003, operates primarily on a contractual basis with organizations that have significant volumes of pre-owned electronics to recycle.

As a certified recycler, the company follows a business model of reuse, refurbishment and recycling of electronics.

'This new e-cycling certification program will take the guesswork out of choosing a responsible recycler,' said EPA Regional Administrator Shawn M. Garvin. 'Recycling is an important tool in our arsenal and we need to make sure it's done correctly to prevent environmental harm and ensure the safe re-use of materials. We strongly encourage other electronic recyclers to obtain the certification to ensure that public health and the environment receive the highest protection available

The protocols required of certified recyclers help to reduce energy and natural resource consumption, greenhouse gases and hazardous waste. Recyclers are not permitted to burn or landfill certain materials. If electronics are going to be sold for reuse, the recycler must show that all personal data has been cleared or destroyed, that the equipment has been tested and is in working condition, and that the equipment is packaged properly. A recycler must exercise

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due diligence to ensure appropriate management of the materials throughout the recycling chain, whether domestic or international.

To apply for certification, electronics recyclers should contact either SGS or Perry Johnson Registrars to receive certification, provided they meet the rigorous certification standards. Both SGS and Perry Johnson Registrars are leading inspection, verification, testing and certification companies. As accredited certifying bodies for certification, SGS and Perry Johnson Registrars are required to list companies they have certified on their respective websites.

Links:

For information on disposing of single or small numbers of units, go to:
<http://www.epa.gov/reg3wcmd/eCycling/index.htm>. or Earth911.org

Perry Johnson Registrars: http://www.pjview.com/Clients/PJRreports/r2_cert.cfm

SGS: <http://www.us.sgs.com/sgs-r2-certified-clients-en-10.pdf>

For more information on Responsible Recycling go to: <http://www.epa.gov/osw/inforesources/news/2009news/08-r2.htm>.

For more information on E-Structors, Inc., go to:

www.e-structors.com/main.asp.

Contact Information: Donna Heron 215-814-5113 / heron.donna@epa.gov

---- INDEX REFERENCES ----

COMPANY: WASTE MANAGEMENT OF OREGON INC; WASTE MANAGEMENT OF MISSISSIPPI INC; WASTE MANAGEMENT OF COLORADO INC; WASTE MANAGEMENT OF WISCONSIN INC; WASTE MANAGEMENT INC; WASTE MANAGEMENT DISPOSAL SERVICES OF PENNSYLVANIA INC; WASTE MANAGEMENT OF OHIO INC; WASTE MANAGEMENT COLLECTION AND RECYCLING INC; WASTE MANAGEMENT OF PENNSYLVANIA INC; WASTE MANAGEMENT OF CALIFORNIA INC; EURO PHYSICAL ACOUSTICS SA; EPA; WASTE MANAGEMENT; US ENVIRONMENTAL PROTECTION AGENCY; WASTE MANAGEMENT OF TEXAS INC; WASTE MANAGEMENT OF ALAMEDA COUNTY INC; WASTE MANAGEMENT OF ILLINOIS INC

INDUSTRY: (Environmental (1EN24); Municipal Solid Waste Disposal (1MU11); Computer Equipment (1CO77); I.T. (1IT96); Environmental Problems (1EN46); Hazardous Waste (1HA81); Environmentally Friendly Computer Technology (1EN03); I.T. Regulatory (1IT67); Corporate & Municipal Recycling (1XO60); Environmental Solutions (1EN90); Environmental Regulatory (1EN91); Environmental Services (1EN69))

REGION: (North America (1NO39); USA (1US73); Americas (1AM92); Texas (1TE14))

Language: EN

OTHER INDEXING: (EPA; MID; PERRY JOHNSON REGISTRARS; RECYCLING; RESPONSIBLE RECYCLING PRACTICES; US ENVIRONMENTAL PROTECTION AGENCY; WASTE MANAGEMENT) (E-Structors; Electronics Recycler; Links; Shawn M. Garvin; Structors)